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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,267	11/03/2005	Hidekazu Nishizawa	274256US2SXPCT	1441
22850 7590 03/20/2008 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER NILFOROUSH, MOHAMMAD A	
			ART UNIT 4137	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/540,267	<b>Applicant(s)</b> NISHIZAWA ET AL.	
	<b>Examiner</b> MOHAMMAD NILFOROUSH	<b>Art Unit</b> 4137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 6/23/2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/23/2005, 10/20/2005</u> .                                   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Acknowledgements***

1. The amendment filed 10/25/2007 is acknowledged.
2. Claims 1-15 are pending in this application.
3. Claims 1-15 have been examined.
4. This Office action is given Paper No. 20080304 for reference purposes only.

### ***Claim Rejections - 35 USC § 101***

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 1-15 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

7. Claims 1-15 are directed to a "privilege management system". Specifically, claims 1, 8, 12, 13, and 15 recite an "accepting section", a "verifying section" and a "service section". However, this is just descriptive material (e.g. software) and non-statutory under 35 USC 101. MPEP 2106.01 states that "functional descriptive material" consists of data structures and computer programs which impart functionality when employed as a computer component, such as when a computer program is recorded on a computer readable medium. Applicant's claims, on the other hand, are directed to non-functional descriptive material as the sections are not stored on and structurally and functionally interrelated to a computer readable medium.

8. Claims 2-7 are also rejected as each depends from claim 1.

- 9. Claims 9-11 are also rejected as each depends from claim 8.
- 10. Claim 14 is also rejected as it depends from claim 13.

***Claim Rejections - 35 USC § 112***

- 11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

- 12. Claims 2, 3, 5, and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- 13. Claims 2 and 9 recite "utilizing side number condition data which specifies a total number of utilizing sides which permit granting the privilege". It is unclear what this limitation encompasses (*In re Zletz*, 13 USPQ2d 1320 (Fed. Cir. 1989)). Examiner interpreted it to mean the total number of copies of a content that can be used or the total number of users of content.

- 14. Claim 3 recites "a path condition ID indicative of a circulation path with which granting the privilege is permitted". Claims 9, 11, and 13 disclose "wherein the privilege coupon data further includes a path condition ID which specifies a circulation path with which granting the privilege is permitted". It is unclear what this limitation encompasses (*In re Zletz*, 13 USPQ2d 1320 (Fed. Cir. 1989)). Examiner interpreted it to mean an ID indicating one or more specific devices on which a content may be authorized.

- 15. Claim 5 recites "reference target data which specifies a reference target" and "the verifying section judges whether the privilege is granted to the requesting side based on

data specified by the reference target data". It is unclear what these limitations encompass (*In re Zletz*, 13 USPQ2d 1320 (Fed. Cir. 1989)). Examiner interpreted "reference target data" to mean data identifying a source from which authorization information is obtained. The examiner interpreted the verifying section as using the data obtained from that source to judge whether the privilege is granted to the requesting side based.

### ***Claim Rejections - 35 USC § 102***

16. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

17. Claims 1-2, 5-7, 12, 13, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Stefik, et al. (U.S. Patent # 5,629,980, hereinafter "Stefik").

18. As for claim 1, Stefik discloses a privilege management system comprising: an accepting section which accepts privilege coupon data indicative of a content of a privilege and a condition under which the privilege is granted, and a right data acquisition request including data which is used to judge whether the privilege is granted, from a requesting side of right data which releases a utilization restriction of a circulation content (Column 7 lines 19-30 disclose one repository accepting a request from another repository to gain permission to use content. Column 9 lines 21-30 further

disclose that a digital work consists of a "contents" file and a "description tree" file, which contains a rights portion disclosed in column 9, lines 59-60. Column 35, lines 6-11 and column 36 lines 45-50 further disclose the data that is included in a acquisition request, which corresponds to the "data which is used to judge whether the privilege is granted" in the current claim. Column 7 lines 31-33 further disclose that the first repository grants access to the digital work to the second repository.);

a verifying section which judges whether the privilege is granted to the requesting side based on the privilege coupon data and the acquisition request (Column 7 lines 23-26 disclose that repository 1 checks the usage rights associated with the digital work to determine if the access to the digital work may be granted.); and

a service section which grants the privilege to the requesting side based on the content of the privilege indicated by the privilege coupon data when it is determined that the privilege is granted (Column 7 lines 31-33 disclose that the first repository grants access to the digital work to the second repository.),

wherein the privilege coupon data includes a permitting side condition ID which specifies a utilization permitting side which permits granting the privilege (Column 27 discloses that every message sent from one repository to another includes the name of the sending repository and the receiving repository.),

the acquisition request includes a utilizing side ID indicative of a right data utilizing side (Column 36 lines 45-50 disclose a request that includes the identity of the player.), and

the verifying section determines that the privilege is granted to the requesting side when the permitting side condition ID is consistent with the utilizing side ID (Column 36 lines 51-54 disclose that the server compares the player identification obtained from the requester with the player specification in the right as part of the decision to grant access to a digital work.).

19. As for claim 2, Stefik further discloses wherein the privilege coupon data further includes utilizing side number condition data which specifies a total number of utilizing sides which permit granting the privilege (Column 32 lines 1-3 disclose that the number of copies of a work that can be loaned is the sum of the Copy-Counts. Thus, this specifies the maximum number of sides that can use the work.), and

the verifying section determines that the privilege is granted to the requesting side when the permitting side condition ID is consistent with the utilizing side ID (Column 36 lines 51-54 disclose that the server compares the player identification obtained from the requester with the player specification in the right as part of the decision to grant access to a digital work.) and a total number of the utilizing side IDs included in the acquisition request accepted by the accepting section is not less than the total number of the utilizing sides (Column 31 line 66 to Column 32 line 32 discloses that the server checks to see if all copies have been loaned out.).

20. As for claim 5, Stefik further discloses wherein the privilege coupon data further includes reference target data which specifies a reference target (Column 23, lines 1-6 disclose an authorization object, referenced by an Authorization-ID, that contains digital address information for a source from which authorization is required.) and the verifying

section judges whether the privilege is granted to the requesting side based on data specified by the reference target data included in the privilege coupon data and data included in the acquisition request (Column 23, lines 1-6 further disclose that this digital address information is used for obtaining authorization.).

21. As for claim 6, Stefik further discloses wherein the privilege coupon data is discount coupon data in which a discount amount is a content of the privilege (Column 23 lines 60-61 disclose that a discount can be included in the usage rights specification.), and

the service section charges the requesting side a discounted fee obtained by subtracting the discount amount from a regular price when it is determined that the privilege is granted (Column 32, lines 19-26 and lines 40-42 disclose that the server initiates financial transactions with a credit server to charge the appropriate fees.).

22. As for claim 7, Stefik further discloses wherein the discount coupon data includes distribution data indicative of a distribution rule of a fee between a content provider who provides the circulation content and a content circulator who circulates the circulation content (Column 23 lines 57-59 and column 24 lines 16-18 disclose that an incentive for distribution can be specified in the usage rights specification.), and

the service section distributes the discounted fee to the content provider and the content circulator in accordance with the distribution data (Column 29, line 57 to column 30 line 36 discloses billing transactions performed between a repository and a credit server. Column 32, lines 19-26 further disclose that the repository carries out the fee conditions specified in the usage right.).



23. As for claim 12, Stefik further discloses a privilege management system comprising: an accepting section which accepts privilege coupon data indicative of a content of a privilege and a condition under which the privilege is granted, and a right data acquisition request from a requesting side of right data which releases a utilization restriction of a circulation content (Column 7 lines 19-30 disclose one repository accepting a request from another repository to gain permission to use content. Column 9 lines 21-30 further disclose that a digital work consists of a "contents" file and a "description tree" file, which contains a rights portion disclosed in column 9, lines 59-60. Column 35, lines 6-11 and column 36 lines 45-50 further disclose the data that is included in a acquisition request, which corresponds to the "data which is used to judge whether the privilege is granted" in the current claim. Column 7 lines 31-33 further disclose that the first repository grants access to the digital work to the second repository.);

a verifying section which judges whether the privilege is granted to the requesting side based on the privilege coupon data and the acquisition request (Column 7 lines 23-26 disclose that repository 1 checks the usage rights associated with the digital work to determine if the access to the digital work may be granted.); and

a service section which grants the privilege to the requesting side based on the content of the privilege indicated by the privilege coupon data when it is determined that the privilege is granted (Column 7 lines 31-33 disclose that the first repository grants access to the digital work to the second repository.),

wherein the privilege coupon data includes request number condition data which specifies a total number of requests which permit granting the privilege (Column 21 lines 10-24 disclose a copy count specification in the usage rights that limits the number of "copies" of the work which may be used simultaneously.), and

the verifying section determines that the privilege is granted to the requesting sides when a total number of the acquisition requests accepted by the accepting section is not less than the total number of requests (Column 31 lines 46-51 disclose that the server checks the copy count condition to make sure there are remaining copies to be used before granting access).

24. As for claim 13, Stefik discloses a privilege management section comprising: an accepting section which accepts privilege coupon data indicative of a content of a privilege and a condition under which the privilege is granted, and a right data acquisition request including data which is used to judge whether the privilege is granted, from a requesting side of right data which releases a utilization restriction of a circulation content (Column 7 lines 19-30 disclose one repository accepting a request from another repository to gain permission to use content. Column 9 lines 21-30 further disclose that a digital work consists of a "contents" file and a "description tree" file, which contains a rights portion disclosed in column 9, lines 59-60. Column 35, lines 6-11 and column 36 lines 45-50 further disclose the data that is included in a acquisition request, which corresponds to the "data which is used to judge whether the privilege is granted" in the current claim. Column 7 lines 31-33 further disclose that the first repository grants access to the digital work to the second repository.);

a verifying section which judges whether the privilege is granted to the requesting side based on the privilege coupon data and the acquisition request (Column 7 lines 23-26 disclose that repository 1 checks the usage rights associated with the digital work to determine if the access to the digital work may be granted.); and

a service section which grants the privilege to the requesting side based on the content of the privilege indicated by the privilege coupon data when it is determined that the privilege is granted (Column 7 lines 31-33 disclose that the first repository grants access to the digital work to the second repository.);

wherein the privilege coupon data includes a path condition ID which specifies a circulation path with which granting the privilege is permitted (Column 22 lines 36-42, lines 51-61, and Column 23 lines 10-21 disclose that the usage rights can specify addressing information in a ticket for repositories that have a specific ticket agent.),

the acquisition request includes a path ID indicative of a circulation path of the circulation content (Column 23 lines 38-43 disclose that the ticket is distributed with the digital work.), and

the verifying section determines that the privilege is granted to the requesting side when the path condition ID is consistent with the path ID (Column 31 lines 38-46 disclose that the repository checks if the requester has any required digital tickets.).

25. As for claim 15, Stefik discloses a privilege management system comprising:

an accepting section which accepts privilege coupon data indicative of a content of a privilege and a condition under which the privilege is granted, and a right data acquisition request from a requesting side of right data which releases a utilization

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restriction of a circulation content (Column 7 lines 19-30 disclose one repository accepting a request from another repository to gain permission to use content. Column 9 lines 21-30 further disclose that a digital work consists of a "contents" file and a "description tree" file, which contains a rights portion disclosed in column 9, lines 59-60. Column 35, lines 6-11 and column 36 lines 45-50 further disclose the data that is included in a acquisition request, which corresponds to the "data which is used to judge whether the privilege is granted" in the current claim. Column 7 lines 31-33 further disclose that the first repository grants access to the digital work to the second repository.);

a verifying section which judges whether the privilege is granted to the requesting side based on the privilege coupon data and the acquisition request(Column 7 lines 23-26 disclose that repository 1 checks the usage rights associated with the digital work to determine if the access to the digital work may be granted.); and

a service section which grants the privilege to the requesting side based on the content of the privilege indicated by the privilege coupon data when it is determined that the privilege is granted (Column 7 lines 31-33 disclose that the first repository grants access to the digital work to the second repository.),

wherein the privilege coupon data includes time condition data which specifies a time in which granting the privilege is permitted (Column 21, line 45 to column 22 line 33 discloses various types of time specifications that can be included in the usage right, among them, the "Fixed-Interval" element which specifies a predetermined time interval in which usage is permitted.), and

the verifying section determines that the privilege is granted to the requesting side when a time at which the acquisition request is accepted is within a time indicated by the time condition data (Column 31 lines 33-37 disclose that the time-based conditions are checked by the server.).

***Claim Rejections - 35 USC § 103***

26. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

27. Claims 3, 4, 8-11, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stefik in view of Brown et al. (U.S. Patent No. 5,941,947, hereinafter "Brown").

28. As for claims 3-4, Stefik discloses wherein the privilege coupon data further includes a path condition ID indicative of a circulation path with which granting the privilege is permitted (Column 22 lines 36-42, lines 51-61, and Column 23 lines 10-21 disclose that the usage rights can specify addressing information in a ticket for repositories that have a specific ticket agent.) and a time condition data which specifies a time in which granting the privilege is permitted (Column 21, line 45 to column 22 line 33 discloses various types of time specifications that can be included in the usage right,

among them, the "Fixed-Interval" element which specifies a predetermined time interval in which usage is permitted.),

the acquisition request includes a path ID indicative of a circulation path of the circulation content (Column 23 lines 38-43 disclose that the ticket is distributed with the digital work.), and

the verifying section determines that the privilege is granted to the requesting side when the permitting side condition ID is consistent with the utilizing side ID (Column 36 lines 51-54 disclose that the server compares the player identification obtained from the requester with the player specification in the right as part of the decision to grant access to a digital work.), the path condition ID is consistent with the path ID (Column 31 lines 43-44 disclose that the repository checks if the requester has any required digital tickets.), and a time at which the acquisition request is accepted is within a time indicated by the time condition data (Column 31 lines 33-37 disclose that the time-based conditions are checked by the server.)

Stefik does not specifically disclose wherein the privilege coupon data further includes a content condition ID which specifies a content group to which a content as a privilege grant target belong to. Stefik also does not specifically disclose the acquisition request includes a content ID indicative of the circulation content and that the verifying section also checks that the circulation content belong to the content group before determining that the privilege is granted.

Brown discloses wherein the privilege coupon data further includes a content condition ID which specifies a content group to which a content as a privilege grant

target belong to (Column 19, lines 25-28 disclose security tokens used to assign content categories. Column 20, lines 28-36 discloses that security tokens are stored as properties of nodes in order to assign a content object to a content category.), that the acquisition request includes a content ID indicative of the circulation content (Column 24, lines 20-33 disclose that the content categories that a user making a request has access to are identified. Column 25 lines 14-16 disclose that an access rights list is generated from this information.), and that the verifying section also checks that the circulation content belong to the content group before determining that the privilege is granted (Column 26 lines 2-12 disclose that a directory service server checks the access rights list as the user attempts to access the directory service structure.).

Therefore, it would have been obvious to a person having ordinary skill in the art to modify the system of Stefik to include content and content condition IDs as disclosed in Brown. A person having ordinary skill in the art would have been motivated to modify the references in order to provide different level of access to differing content entities (Brown, Column 1 lines 15-16).

29. As for claim 8, Stefik discloses an accepting section which accepts privilege coupon data indicative of a content of a privilege and a condition under which the privilege is granted, and a right data acquisition request including data which is used to judge whether the privilege is granted, from a requesting side of right data which releases a utilization restriction of a circulation content (Column 7 lines 19-30 disclose one repository accepting a request from another repository to gain permission to use content. Column 9 lines 21-30 further disclose that a digital work consists of a "contents"

file and a "description tree" file, which contains a rights portion disclosed in column 9, lines 59-60. Column 35, lines 6-11 and column 36 lines 45-50 further disclose the data that is included in a acquisition request, which corresponds to the "data which is used to judge whether the privilege is granted" in the current claim. Column 7 lines 31-33 further disclose that the first repository grants access to the digital work to the second repository.); a verifying section which judges whether the privilege is granted to the requesting side based on the privilege coupon data and the acquisition request (Column 7 lines 23-26 disclose that repository 1 checks the usage rights associated with the digital work to determine if the access to the digital work may be granted.); and a service section which grants the privilege to the requesting side based on the content of the privilege indicated by the privilege coupon data when it is determined that the privilege is granted (Column 7 lines 31-33 disclose that the first repository grants access to the digital work to the second repository.),

Stefik does not specifically disclose wherein the privilege coupon data includes a content condition ID which specifies a content as a privilege grant target, the acquisition request includes a contents ID indicative of the circulation content, and the verifying section determines that the privilege is granted to the requesting side when the content condition ID is consistent with the circulation content ID.

Brown discloses wherein the privilege coupon data includes a content condition ID which specifies a content as a privilege grant target (Column 19, lines 25-28 disclose security tokens used to assign content categories. Column 20, lines 28-36 discloses that security tokens are stored as properties of nodes in order to assign a content object



to a content category.), the acquisition request includes a contents ID indicative of the circulation content (Column 24, lines 20-33 discloses that the content categories that a user making a request has access to are identified. Column 25 lines 14-16 disclose that an access rights list is generated from this information.), and the verifying section determines that the privilege is granted to the requesting side when the content condition ID is consistent with the circulation content ID (Column 26 lines 2-12 disclose that a directory service server checks the access rights list as the user attempts to access the directory service structure, comparing the access rights to the tokens of the content.).

Therefore, it would have been obvious to a person having ordinary skill in the art to modify the system of Stefik to check content condition and circulation content IDs as disclosed in Brown. A person having ordinary skill in the art would have been motivated to modify the references. A person having ordinary skill in the art would have been motivated to modify the references in order to provide different level of access to differing content entities (Brown, Column 1 lines 15-16).

30. As for claim 9, Stefik in view of Brown discloses all the limitations of claim 8 as described above. Stefik further discloses wherein the privilege coupon data further includes a path condition ID which specifies a circulation path with which granting the privilege is permitted (Column 22 lines 36-42, lines 51-61, and Column 23 lines 10-21 disclose that the usage rights can specify addressing information in a ticket for repositories that have a specific ticket agent.) and utilizing side number condition data which specifies a total number of utilizing sides which permit granting the privilege

(Column 32 lines 1-3 disclose that the number of copies of a work that can be loaned is the sum of the Copy-Counts. Thus, this specifies the maximum number of sides that can use the work.),

the acquisition request further includes a utilizing side ID indicative of the right data utilizing side (Column 36 lines 45-50 disclose a request that includes the identity of the player.) and a path ID indicative of a circulation path of the circulation content (Column 23 lines 38-43 disclose that the ticket is distributed with the digital work.), and

the verifying section determines that the privilege is granted to the requesting side when the path condition ID is consistent with the path ID (Column 31 lines 43-44 disclose that the repository checks if the requester has any required digital tickets.), and a total number of the utilizing side IDs included in the acquisition request accepted by the accepting section is not less than the total number of the utilizing sides (Column 31 line 66 to Column 32 line 32 discloses that the server checks to see if all copies have been loaned out.).

Stefik does not specifically disclose the verifying section determines that the privilege is granted to the requesting side when the content condition ID is consistent with the circulation content ID.

Brown further discloses that the verifying section determines that the privilege is granted to the requesting side when the content condition ID is consistent with the circulation content ID (Column 26 lines 2-12 disclose that a directory service server checks the access rights list as the user attempts to access the directory service structure, comparing the access rights to the tokens of the content.).

Therefore, it would have been obvious to a person having ordinary skill in the art to modify the system of Stefik to check content condition and circulation content IDs as disclosed in Brown. A person having ordinary skill in the art would have been motivated to modify the references. A person having ordinary skill in the art would have been motivated to modify the references in order to provide different level of access to differing content entities (Brown, Column 1 lines 15-16).

31. As for claim 10, Stefik further discloses wherein the privilege coupon data further includes a permitting side condition ID which specifies a utilization permitting side group to which a utilization permitting side which permits granting the privilege belongs (Column 22, lines 40-42 disclose that a usage right can specify a security class for the data),

the acquisition request further includes a utilizing side ID indicative of a right data utilizing side (Column 36 lines 45-50 disclose a request that includes the identity of the player.), and

the verifying section determines that the privilege is granted to the requesting side when the utilizing side belongs to the utilization permitting side group (Column 31 lines 40-42 disclose that the server checks that the requester is at the specified security class).

Stefik does not specifically disclose that the verifying section determines that the privilege is granted to the requesting side when the content condition ID is consistent with the circulation content ID.

As described above for claim 9, Brown discloses that the verifying section determines that the privilege is granted to the requesting side when the content condition ID is consistent with the circulation content ID (Column 26 lines 2-12 disclose that a directory service server checks the access rights list as the user attempts to access the directory service structure, comparing the access rights to the tokens of the content.).

Therefore, it would have been obvious to a person having ordinary skill in the art to modify the system of Stefik to check content condition and circulation content IDs as disclosed in Brown. A person having ordinary skill in the art would have been motivated to modify the references. A person having ordinary skill in the art would have been motivated to modify the references in order to provide different level of access to differing content entities (Brown, Column 1 lines 15-16).

32. As for claim 11, Stefik discloses all the limitation of claim 10 as disclosed above. Stefik further discloses wherein the privilege coupon data further includes a path condition ID which specifies a circulation path with which granting the privilege is permitted (Column 22 lines 36-42, lines 51-61, and Column 23 lines 10-21 disclose that the usage rights can specify addressing information in a ticket for repositories that have a specific ticket agent.),

the acquisition request further includes a path ID indicative of a circulation path of the circulation content (Column 23 lines 38-43 disclose that the ticket is distributed with the digital work.), and

the verifying section determines that the privilege is granted to the requesting side when the utilizing side belongs to the utilization permitting side group (Column 31 lines 40-42 disclose that the server checks that the requester is at the specified security class) and the path condition ID is consistent with the path ID (Column 31 lines 43-44 disclose that the repository checks if the requester has any required digital tickets.).

Stefik does not specifically disclose the verifying section determines that the privilege is granted to the requesting side when the content condition ID is consistent with the circulation content ID.

As described above for claim 9, Brown discloses the verifying section determines that the privilege is granted to the requesting side when the content condition ID is consistent with the circulation content ID (Column 26 lines 2-12 disclose that a directory service server checks the access rights list as the user attempts to access the directory service structure, comparing the access rights to the tokens of the content.).

Therefore, it would have been obvious to a person having ordinary skill in the art to modify the system of Stefik to check content condition and circulation content IDs as disclosed in Brown. A person having ordinary skill in the art would have been motivated to modify the references. A person having ordinary skill in the art would have been motivated to modify the references in order to provide different level of access to differing content entities (Brown, Column 1 lines 15-16).

33. As for claim 14, Stefik discloses all the limitations of claim 13 as described previously. Stefik further discloses wherein the privilege coupon data further includes a request number condition data which specifies a total number of requests which permit

granting the privilege (Column 21 lines 10-24 disclose a copy count specification in the usage rights that limits the number of “copies” of the work which may be used simultaneously.),

the verifying section determines that the privilege is granted to the requesting side when the path condition ID is consistent with the path ID (Column 31 lines 38-46 disclose that the repository checks if the requester has any required digital tickets.), and a total number of the acquisition requests accepted by the accepting section is not less than the total number of requests (Column 31 lines 46-51 disclose that the server checks the copy count condition to make sure there are remaining copies to be used before granting access).

Stefik does not specifically disclose wherein the privilege coupon data further includes a content condition ID which specifies a content group to which a content as a privilege grant target belong, the acquisition request further includes a content ID indicative of the circulation content, the verifying section determines that the privilege is granted to the requesting side when the circulation content belong to the content group.

Brown discloses wherein the privilege coupon data further includes a content condition ID which specifies a content group to which a content as a privilege grant target belong to (Column 19, lines 25-28 disclose security tokens used to assign content categories. Column 20, lines 28-36 discloses that security tokens are stored as properties of nodes in order to assign a content object to a content category.), the acquisition request includes a contents ID indicative of the circulation content (Column 24, lines 20-33 disclose that the content categories that a user making a request has

access to are identified. Column 25 lines 14-16 disclose that an access rights list is generated from this information.), and the verifying section determines that the privilege is granted to the requesting side when the content condition ID is consistent with the circulation content ID. (Column 31 lines 46-51 disclose that the server checks the copy count condition to make sure there are remaining copies to be used before granting access)

### ***Conclusion***

34. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,892,900 by Ginter et al. for disclosing systems and methods for secure transaction management and electronics rights protection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD NILFOROUSH whose telephone number is (571)270-5298. The examiner can normally be reached on Mon-Thur 7:30 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Calvin Hewitt can be reached on (571)272-6709. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 4137

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/Calvin L Hewitt II/

Supervisory Patent Examiner, Art Unit 4137